

## II. AMENDMENTS TO THE CLAIMS

- PLEASE FIND BELOW A MARKED VERSION OF CLAIMS WITH PRESENT STATUS DELINEATED
- THE CLAIMS ARE HEREIN AMENDED, CANCELED, OR ADDED TO, SO AS TO EVENTUATE IN THE NEW SET OF PENDING CLAIMS INDICATED BELOW. THIS LISTING OF CLAIMS WILL REPLACE ALL PRIOR VERSIONS AND LISTING OF CLAIMS IN THE APPLICATION.

Claims are shown on next page.

1. (Currently Amended) A fractionator for collecting at least a portion of a fluid sample disposed in a sample tube, the fractionator comprising:

a head having a head surface at a forward end of the head and a shaft on the back end, the head being configured to form a slideable seal with the inside surface of a sample tube;

a collection port disposed forward of the head surface; ~~and~~

a fluid passageway in fluid communication with the collection port, the fluid passageway being configured and arranged to allow fluid transport generated from the sample tube to a sample receptacle;

said fluid transport being generated by a force on said shaft from said back end;

said head surface at the head forward end being positioned inside the sample tube; and

a plenum space defined forward of the head and bounded, at least in part, by the head surface, the collection port, and the inside surface of said sample tube.

2. (Cancelled)

3. (Original) The fractionator of claim 1, wherein:

the head is configured for use with a sample tube having a predetermined sample tube cross-section;

the collection port has a predetermined collection port cross-section; and

the ratio of the collection port cross-section to the sample tube cross-section is in the range of from 1 :10 to 1 :1000.

4. (Original) The fractionator of claim 3, wherein the ratio of the collection port cross-section to the sample tube cross-section is in the range of from 1:25 to 1:100.

5. (Original) The fractionator of claim 1, wherein the collection port is placed off center from the center of the head.
6. (Original) The fractionator of claim 1, wherein the collection port is placed at the center of the head.
7. (Original) The fractionator of claim 1, wherein the collection port is configured and arranged to isolate the head surface from a sample during collection of the sample from the sample tube.
8. – 16 (Cancelled)
17. (New) The fractionator of claim 1, wherein the fluid sample comprises segregated layers.
18. (New) The fractionator of claim 17, wherein the segregated layers constitute serum, WBC, NRBC, or RBC.
19. (New) The fractionator of claim 1, wherein said force affecting fluid transport is applied manually or mechanically.